

AMENDMENTS TO LB 521

Introduced by Judiciary

1 1. Strike the original sections and insert the following
2 new sections:

3 Section 1. Section 28-335, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 28-335 (1) The performing of an abortion by any person
6 other than a licensed physician is a Class IV felony.

7 (2) No abortion shall be performed, induced, or attempted
8 unless the physician who uses or prescribes any instrument, device,
9 medicine, drug, or other substance to perform, induce, or attempt
10 the abortion is physically present in the same room with the
11 patient when the physician performs, induces, or attempts to
12 perform or induce the abortion. Any person who knowingly or
13 recklessly violates this subsection shall be guilty of a Class IV
14 felony. No civil or criminal penalty shall be assessed against the
15 patient upon whom the abortion is performed, induced, or attempted
16 to be performed or induced.

17 Sec. 2. If any one or more provisions, sections,
18 subsections, sentences, clauses, phrases, or words of this act
19 or the application thereof to any person or circumstance is found
20 to be unconstitutional, the same is hereby declared to be severable
21 and the balance of this act shall remain effective notwithstanding
22 such unconstitutionality. The Legislature hereby declares that
23 it would have passed this act, and each provision, section,

1 subsection, sentence, clause, phrase, or word thereof, irrespective
2 of the fact that any one or more provisions, sections, subsections,
3 sentences, clauses, phrases, or words be declared unconstitutional.

4 Sec. 3. Original section 28-335, Reissue Revised Statutes
5 of Nebraska, is repealed.